

**CALENDAR ITEM
C05**

A 5

10/16/15

S 1

PRC 8913.1
M.J. Columbus

AMENDMENT OF LEASE AND REVISION OF RENT

LESSEE:

Tahoe Lakeview, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Lake Tahoe, adjacent to 969 Lakeview Avenue, city of South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, boat lift, and four mooring buoys.

LEASE TERM:

10 years, beginning February 8, 2011.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that rent be revised from \$2,093 per year to \$1,755 per year, effective February 8, 2016.

PROPOSED AMENDMENT:

Amend the lease to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only). All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On February 8, 2011, the Commission authorized a General Lease – Recreational Use to Tahoe Lakeview, LLC, beginning February 8, 2011, for the expansion of an existing pier and installation of a boat lift. On May 24, 2012, the

CALENDAR ITEM NO. **C05** (CONT'D)

Commission authorized an Amendment of Lease to include four existing mooring buoys. The Lease will expire on February 7, 2021.

3. Staff conducted the rent review called for in the lease. Due to changes in the impact area surrounding the pier, staff recommends the rent be reduced.
4. The staff recommends that the Commission find that the subject approval of lease amendment and revision of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject approval of lease amendment and revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

1. Authorize the amendment of Lease No. PRC 8913.1, a General Lease – Recreational Use, effective February 8, 2016, to replace the existing Exhibit A, Land Description, and Exhibit B, Site and Location Map, with the attached Exhibit A, Land Description, and Exhibit B, Site and Location Map (for reference purposes only); all other terms and conditions of the lease will remain in effect without amendment.
2. Approve the revision of rent for Lease No. PRC 8913.1 from \$2,093 per year to \$1,755 per year, effective February 8, 2016.

EXHIBIT A

PRC 8913.1

LAND DESCRIPTION

Five (5) parcels of submerged land, situate in the bed of Lake Tahoe, lying adjacent to fractional Section 32, Township 13 North, Range 18 East, MDM, as shown on the Official Township Plat, approved April 11th, 1884, County of El Dorado, State of California, and more particularly described as follows:

PARCEL 1 - PIER

All those lands underlying an existing pier, catwalk, and boatlift adjacent to that parcel as described in "Exhibit A" of that Grant Deed recorded February 04, 2008 as Document Number 2008-0005240-00 in Official Records of said County.

TOGETHER WITH any applicable impact area(s).

EXCEPTING THEREFROM any portion(s) lying landward of the elevation of 6223 feet LTD along the shoreline of Lake Tahoe.

PARCELS 2, 3, 4, 5 - BUOYS (4)

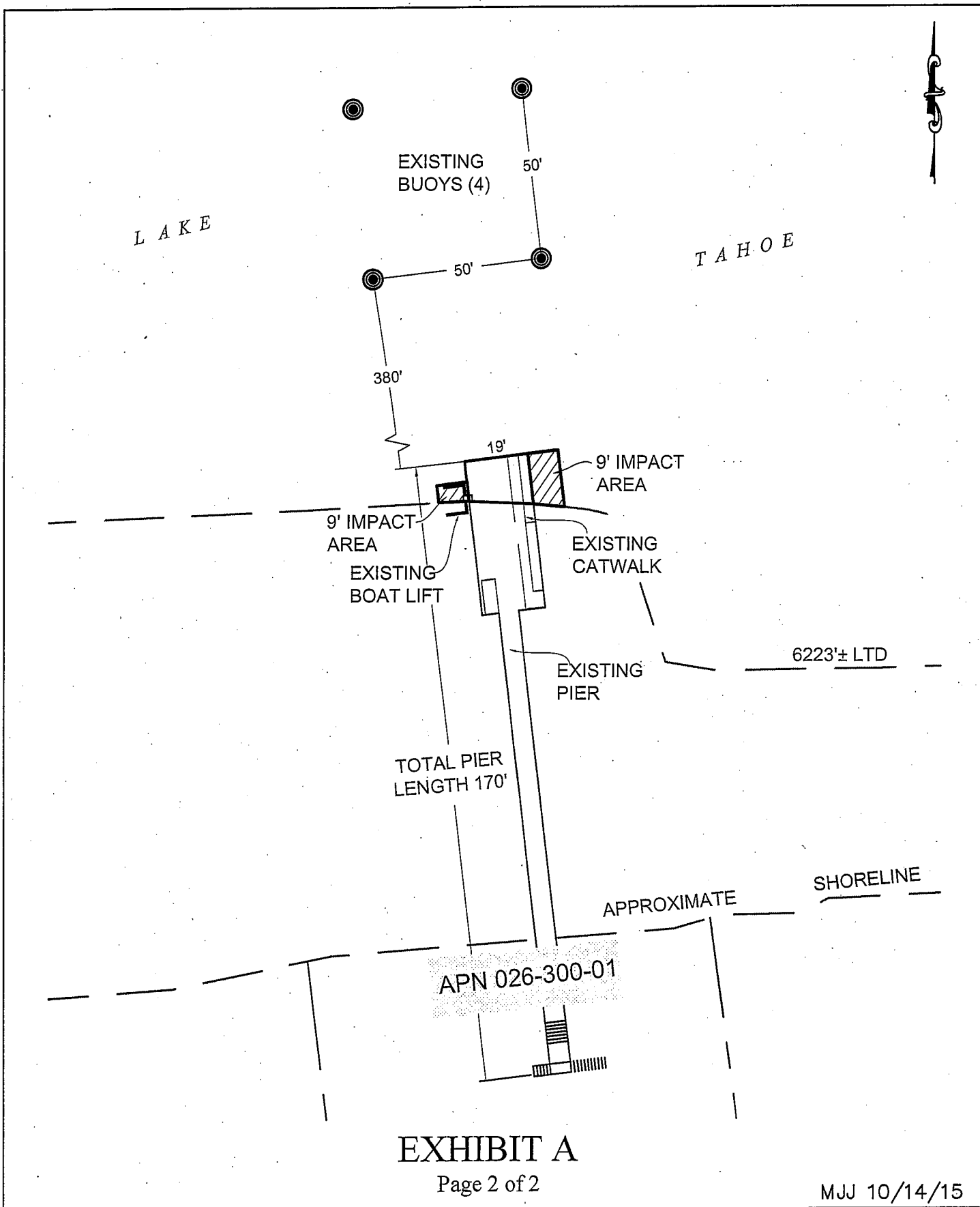
Four (4) circular parcels of land, being 50 feet in diameter, underlying four existing buoys, adjacent to that parcel as described in said parcel.

Accompanying plat is hereby made a part of this description

END OF DESCRIPTION

Prepared September 1, 2015 by the California State Lands Commission Boundary Unit.





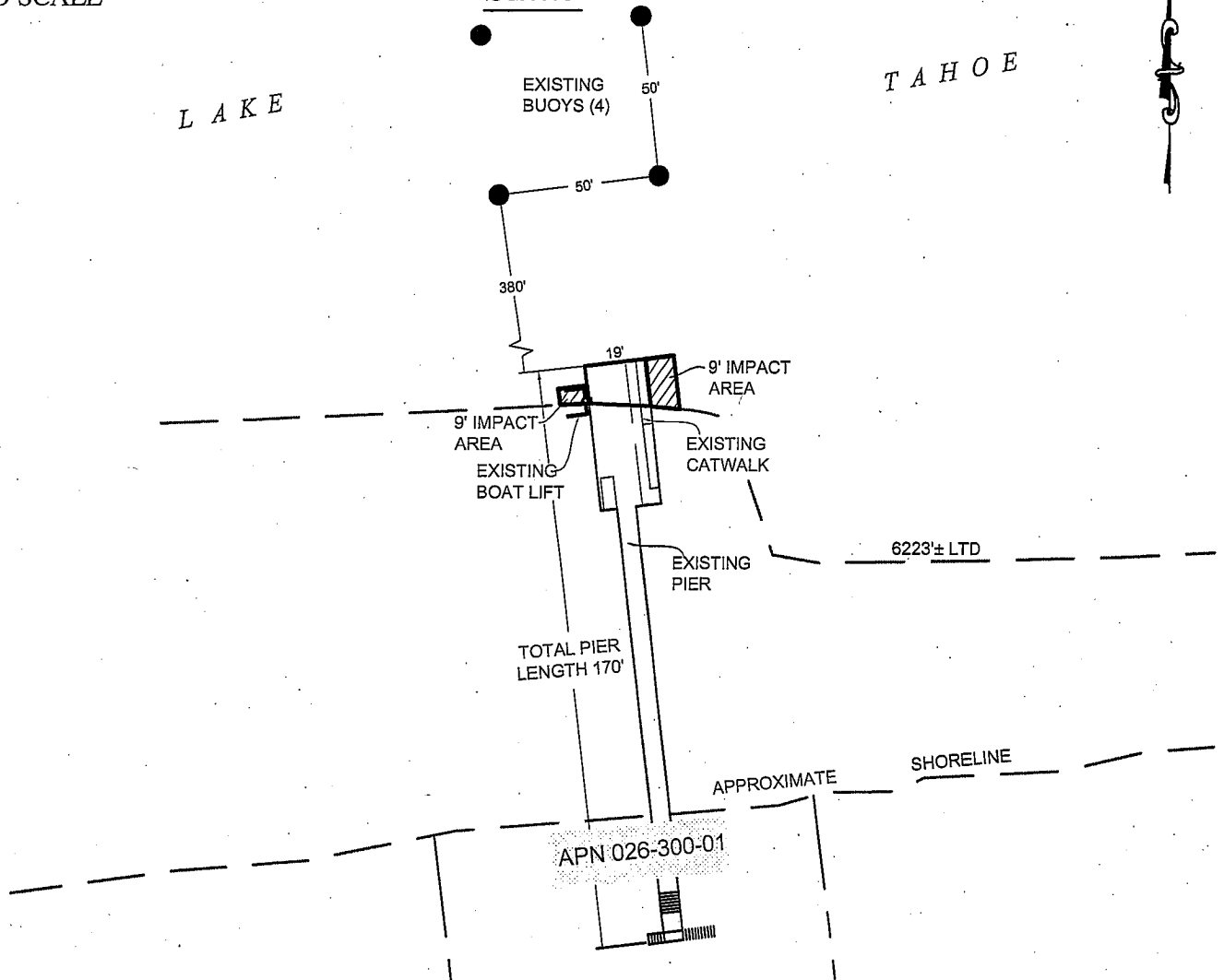
LAND DESCRIPTION PLAT
PRC 8913.1, TAHOE LAKEVIEW, LLC
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

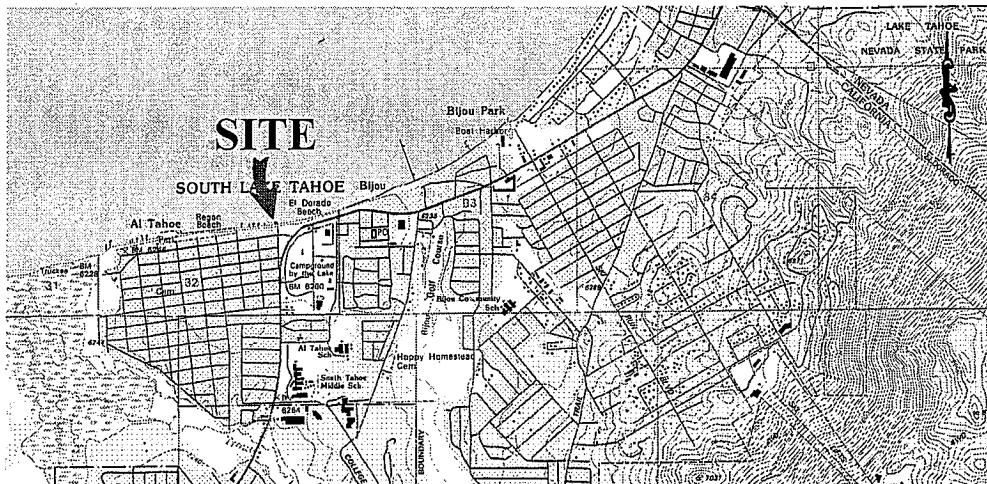
SITE



969 LAKEVIEW AVE., NEAR CITY OF SOUTH LAKE TAHOE

NO SCALE

LOCATION

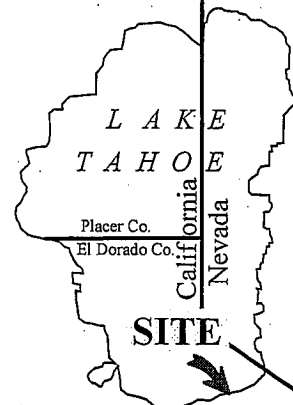


MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 8913.1
TAHOE LAKEVIEW, LLC
APN 026-300-01
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



MIJ 10/14/15